

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

BUILDING CODE APPEALS BOARD
DOCKET NO. 11-1016

UMass (Amherst),
Appellant

v.

Department of Public Safety
(Commonwealth),
Appellee

BOARD'S DECISION ON APPEAL

Introduction

This matter came before the State Building Code Appeals Board ("Board") on Appellant's appeal application filed pursuant to G.L. c.143, §100 and 780 CMR 122.1 ("Application"). Appellant is seeking a variance from International Existing Building Code ("IEBC") 102.2.1.2(1) and 780 CMR 916.1 (which require carbon monoxide protection) as part of interior renovations at Crampton Hall, an existing dormitory at UMass Amherst ("Project").

Procedural History

On or about June 14, 2011, the Department of Public Safety ("DPS") issued a letter informing UMass Amherst that carbon monoxide detection must be provided as part of the Project in accordance with IEBC 102.2.1.2(1) and 780 CMR 916.1, and that the DPS decision may be appealed to the Board. The Board convened a public hearing on July 7, 2011, in accordance with G.L.c. 30A, §§10 & 11; G.L.c. 143, §100; 801 CMR 1.02; and 780 CMR 122.3. All interested parties were provided an opportunity to testify and present evidence.

Discussion

The Project involves sprinkler system and life-safety upgrading in a five-story university residence building. The building has a diesel-fueled emergency generator located in the open on the rooftop. Heating and domestic hot water is supplied to the building by a district steam heating system where steam heat is delivered to the building from a campus central heating plant. There is no vehicle parking within the building. Campus rules prohibit the use of fuel burning portable space heaters and prohibit the use of barbeque equipment in or near buildings.

In lieu of installing carbon monoxide detectors, Appellant proposed a compliance alternative where one (1) carbon monoxide detector would be installed in the make-up air ductwork of the building's ventilation unit adjacent to the rooftop emergency generator.

Conclusion

The Board considered the following motion: to allow a variance from IEBC 102.2.1.2(1) and 780 CMR 916.1 provided that a carbon monoxide detector is installed in the make-up air ductwork adjacent to the rooftop emergency generator. The motion was **denied** by two to one vote.



H. Jacob Nunnemacher
(opposed)

Douglas A. Semple, Chair
(opposed)

Alexander MacLeod

Any person aggrieved by a decision of the State Building Code Appeals Board may appeal to Superior Court in accordance with G.L. c.30A, §14 within 30 days of receipt of this decision.

DATED: October 17, 2011